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December 7, 2016

The Honorable John A. Gibney, Jr.
Judge, United States District Court for
the Eastern District of Virginia
Spottswood W. Robinson III and Robert R. Merhige, Jr.
Federal Courthouse
701 East Broad Street
Richmond, Virginia 23219

Re: Limelight Networks, Inc. v. XO Communications, LLC, et al.
Case No. 3:15-cv-720

Dear Judge Gibney:

I write on behalf of Akamai Technologies, Inc. regarding Limelight Networks, Inc.'s request for oral argument on the parties' respective motions for summary judgment and motions to strike. See Dkt. No. 317. Akamai does not believe that oral argument on these pending motions is necessary, but if a hearing would assist the Court, Akamai is available to participate. Akamai's lead trial counsel is unavailable, however, on December 12-14. On December 13-14, two of Akamai's trial counsel will be taking the deposition of Limelight's technical expert in California. Another of Akamai's trial counsel currently has a trial in the Northern District of California that is expected to last at least through December 13. Akamai would be prejudiced if the hearing were set for these dates when three of its trial counsel are unavailable.

Akamai also opposes moving the deposition of Limelight's technical expert from December 13-14 to accommodate Limelight's hearing request. The deposition was moved to these dates at the request of Limelight's expert, who developed a conflict regarding the dates that were previously scheduled before Thanksgiving. Given the close proximity to trial, any further changes to the dates of this deposition would be prejudicial to Akamai.

Thus, Akamai respectfully requests that, if the Court determines a hearing would be helpful, it schedule that hearing for December 20, when the parties will already be before the Court for the Final Pre-Trial Conference. Alternatively, Akamai requests that the Court schedule the hearing for the previous day, December 19.

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With kind regards, I am

Sincerely,

/s/

Dabney Carr

cc: Counsel of Record